

FIRST WITNESSES
AGAINST HAYWOODCaldwell People Testify after
Bitter Arraignment of Fed-
eration by Hawley.ACCUSES FEDERATION
OF WHOLESALE MURDERSOrchard Will Be Placed on the
Stand Today—Brought in
from Penitentiary Last Eve-
ning and Sees Prosecutors.

By Associated Press.

BOISE, Idaho, June 4.—Through Hawley, the senior of the group of prosecutors, the state today made the opening statement against Haywood, and then began the presentation of testimony by which it hopes to prove the indictment.

The opening statement was a broad, sweeping arraignment of the leaders of the Western Federation, who are charged with plotting wholesale murder and hiring assassins, all in a giant conspiracy of vengeance upon persons who obstructed their way, to destroy opposition by terrorism and to control the political destinies of communities covered by the organization. It charges a widespread conspiracy dating in inception from the north Idaho disturbances fifteen years ago, down to the murder of Steunenberg, whose murdered victims by bullet and bomb number scores. Hawley declared that wherever the federation has been in control there had been left a trail of blood to mark their operations. Of their hired assassins he cried:

"To them murder became a trade and assassination a means of living."

As to the alleged general conspiracy Hawley said:

"It has been a part of their object and policy to control politics in various sections where they lived, where their organization and their subordinate judges had control. This conspiracy, this collusion, these crimes, this understanding between leaders of the organization, together with some that were associated with them in a subordinate role, together with others that on the outside played into their hands, who were of necessity brought into their confidence, has, as I stated before, caused death and has been the real cause of the death of Steunenberg."

"I will say we expect to prove, and I have been exact in the matter, that this is not the only object of this organization; that, although persons composing the executive committee, as far as their personality is concerned, have changed at various times, their objects and the ideas of the leaders of the body have never changed. By mutual agreement and understanding of these leaders at the very inception of the organization, certain objects were aimed at, and it has always been the object of the 'inner circle' of the organization to accomplish them. We will prove to you that at the inception of this organization a conspiracy was formed by employing desperate criminals to commit murders and other atrocities and crimes by unusual and alarming methods against those who in their official position refused to be influenced by their wishes and those who in private life were counter to their interests."

What State Will Prove

"We will go further and prove as a part of this case that the leaders of this federation have for more than eight years made a record for deeds of violence that their chosen methods and customs have left a trail of blood in mining sections of this entire coast where they were in control. We will show that the leaders of the 'inner circle' trailed in blood, employed hired assassins to take life and destroy property as their interests seemingly required, and as part of their general practice of protection have raised by an assessment levied on the members of their order, a large amount of money as an emergency fund and from it not only squandered large sums for their own personal purposes and criminal methods but also from it retained the best legal talent to defend those of their number charged with crime."

After retelling the story of the Caldwell crime, the arrest and confession of Orchard and a part of the history of the Cour d'Alene trouble, Mr. Hawley said:

"Inner Circle" Doings

"The original proposition and theory that the power of this 'inner circle' of the federation could best be perpetuated by murdering those who in official life and private situation ran counter to their interests, became intensified seemingly after these gentlemen assumed entire control."

"The 'inner circle' composed as it was of this defendant and his co-defendants to a great extent, brought around them a few choice spirits and to them murder became a mere trade and assassination a means of living. We will show that a scale of wages was even devised, fixing the amount to be paid for different crimes by the 'inner circle' to parties who committed the crimes."

"Chief among those who were doing the actual work that was planned by the 'inner circle' and paid for out of the funds of the federation, was the man to whom I have referred, Orchard, and one Stephen Adams."

Hawley spoke for nearly an hour and a half to the courtroom, crowded but

silent, to the jury sitting bolt upright, watching for every word, and to the prisoner, who with his family around him was several times moved to deep emotion as the prosecutor pronounced the charges.

Defense Objects

Counsel for the defense opened fire before the statement had proceeded ten minutes and a repetition of objection from them led to three or four sharp exchanges. They protested against the charge that the federation is guilty of "scores of murders" and to the assertion that the conspiracy extended back to the first trouble in North Idaho, and they accused Hawley of arguing the case in the opening statement. They dotted the records with exceptions or overruled objections and finally got a ruling by which they could protect their rights against the whole statement.

The available supply of witnesses for the state unexpectedly ran short, causing an adjournment at 3 p. m.

The witnesses today were all from Caldwell and those who did not tell of the crime itself were called to locate Orchard, who went to the town as Thomas Hogan, and to show that three months before the crime John T. Simpkins, a member of the executive board of the Western Federation, joined Orchard and lived with him several days in the same room.

The First Witness

C. F. Wayne, who passed through the gate twenty minutes before Steunenberg was blown up, told of the explosion, the shocking condition of the victim when he, responding to Mrs. Steunenberg's calls, ran to him.

J. W. Gue, the surgeon, described the body. He found the leg bones broken to fragments by the great force of the explosion, while the skin that covered them was unmarked.

John C. Rice, N. S. Ellis and A. B. Lantaine, residents of Caldwell, had traced Orchard about town at various times before and after the crime, and then came Julian Steunenberg, the son of the dead governor, to tell how Orchard, three days before the murder, had inquired of him about his father's business. Julian Steunenberg is a strong and well set up youth with light hair. He took the stand very bravely, but when Senator Borah began questioning him a cloud of pain passed over his face and he shielded his eyes, evidently to keep back the tears. He told of meeting Orchard, then known as Hogan, at the local railroad depot three days before the crime, telling him that his father would be home the following Friday. He said he was on his way home with his uncle and was two blocks behind his father when the explosion occurred.

Traced Orchard and Simpkins

L. J. Bowman, James Russell and Steve Dempsey, proprietors of the Pacific hotel at Caldwell, traced the movements of Orchard and Simpkins. The latter was identified by a photograph in evidence by the state. The witness identified the hotel register where Orchard, as Hogan, and Simpkins as Simmons, signed their names November 3, 1905.

It was marked for identification. The defense objected to practically all of the day's testimony excepting that relating to the death of Steunenberg, on the ground that it was immaterial and in no way connected with the defendant. Several conversations of Orchard were objected to on the ground that they were in no way binding upon the defendant. Judge Wood, however, permitted all testimony to stand on the undertaking of the prosecution to show later the connection. When court sits at 9 o'clock tomorrow there will be further testimony as to the events at Caldwell and then Orchard will take the stand.

Orchard is to be brought from the penitentiary in the forenoon and turned over to Sheriff Hodgins until he has been examined and cross examined to the satisfaction of both sides. He will be a close cell neighbor in the jail to the men whose lives he may swear away, but it is likely that they will not get even a glimpse of him during his stay there.

ORCHARD IS BROUGHT
TO BOISE FROM PEN

BOISE, Idaho, June 4.—Orchard, the self-confessed murderer of Steunenberg, was brought into Boise this evening from the Idaho penitentiary. For some hours he was closeted with attorneys for the prosecution and probably to right he will be locked up in a cell in the county jail.

This is the first time Orchard has been out of the penitentiary since he was brought from Caldwell. On the trip tonight he was accompanied by Warden Whitney. Notwithstanding reports of possible violence to Orchard on the part of friends of Haywood, the prisoner was surrounded with but little precaution during his drive into the city.

YESTERDAY'S BASEBALL
SCORES IN BOTH LEAGUES

By Associated Press.

American	
At Boston—	R. H. E.
Boston	7 14 1
Detroit	5 8 2
Batteries—Tannehill, Oberlin, Pruitt, Criger and Shaw; Mullin and Archer.	

National	
At Washington—	R. H. E.
Washington	7 15 1
St. Louis	1 5 1
Batteries—Patton and Keydon; Powell and Stephens.	

R. H. E.	
At Philadelphia—	R. H. E.
Chicago	10 14 3
Philadelphia	6 9 5
Batteries—Patterson, White and Sullivan; Plank and Schreck.	

R. H. E.	
At New York—	R. H. E.
Cleveland	4 4 3
New York	3 10 3
Batteries—Rhodes and Clark; Orth and Kleinow.	

SCHMITZ JURY
NOW COMPLETETrial Proper of Grafting Mayor
of San Francisco Will Begin
This Morning.SHERIFF O'NEILL IS
AGAIN DISQUALIFIEDBiggy Will Have Charge of
Jurors, Who Will Be Kept
Under Lock and Key and Not
Allowed to Receive Letters.

By Associated Press.

SAN FRANCISCO, Cal., June 4.—The jury was completed this afternoon for the trial of Schmitz on the first of seven indictments, by which he is accused jointly with Ruef of having extorted from Joseph Malfanti \$1,175 as first installment of the \$5,000 annual bribe to secure to French restaurant keepers their licenses to sell liquor.

Judge Dunne upon motion of the prosecution and over the determined objections of the defense formally disqualified Sheriff O'Neill and Coroner Walsh as unimpeached by personal bias to perform court functions in connection with the trial, and appointed Biggy as disor to have charge of the jury.

Biggy Has Charge

Shortly after the adjournment of court Mr. Biggy, who has been Ruef's jailer, marched the jury to the St. Francis hotel, where they will be kept under lock and key during all the time they are not sitting on the trial. Judge Dunne has decided that the jurors shall have no newspapers to be read relating to the case; they may receive no general mail, nor may be communicated with by their families except under the scrutiny of the disor.

It is the desire of Judge Dunne, now that the jury has been completed, to hold night sessions, and tomorrow he will hear suggestions from counsel as to this.

"I want the trial to go forward now," said Judge Dunne, "with as few interruptions and as much speed as justice will permit."

The state hopes to put in all its evidence this week. Former Police Commissioners Hutton, Reagan, Drinkhouse, Howell and Poehlein will likely be the first witnesses called.

WANTED FOR MURDER
AT SOLOMONVILLE

By Associated Press.

BAKERSFIELD, Cal., June 4.—Martin Palma, alias Gabriel Bustillos, a Mexican wanted at Solomonville, Ariz., on a murder charge, was arrested in this city last night and will be held until the arrival of a deputy sheriff from Arizona.

LONGSHOREMEN
AND COPS FIGHTStrikers, Non-Union Men and
Police Engage in Pitched
Battle in Jersey City

By Associated Press.

NEW YORK, June 4.—Two hundred striking longshoremen, about twenty non-union men and several policemen had a pitched battle today on pier B in Jersey City. One union man was terribly injured in the head and two others, also badly wounded, were spirited away by friends. Pistols, knives, clubs and stones were used in the encounter.

It started when the non-union men were on their way to work. The other side of the pier held 200 union longshoremen. When they saw the non-union men they charged on them.

The fight continued for hours and ended only after all the leaders of the strikers had been laid low by the clubs of the policemen.

RUSSIAN DOUMA
KNOCKS PREMIERLower House Rejects Two
More of Stolypin's Tempo-
rary Measures

By Associated Press.

ST. PETERSBURG, June 4.—The lower house of parliament today rejected two more of Premier Stolypin's temporary laws, one providing for increased punishment and trial exclusive by before military or naval court-martial of persons charged with conducting revolutionary propaganda among troops and sailors, and the other authorizing the police to fetter political criminals.

In spite of surface tranquility and the devotion of parliament to work,

rumors of its approaching dissolution, possibly this week, were discussed in lobbies today, and they are considered likely to cause an immediate change of policy on the part of the constitutional democrats, a strong faction of which believes in appealing to the country on the basis of the constitutional democratic agrarian program. The plan is to bring up and reject as soon as possible temporary agrarian laws enacted during the recess, thus forcing the government's hand and providing constitutional democrats with a popular issue.

ANOTHER EARTHQUAKE
SHOCK IN 'FRISCO

By Associated Press.

SAN FRANCISCO, Cal., June 5.—An earthquake shock lasting about ten seconds was felt here at 12:27 this morning. The oscillation was from north to south. No damage has been reported.

STREET CAR RUNS INTO
CAR OF MOLTEN METAL

By Associated Press.

BIRMINGHAM, Ala., June 5.—A street car ran into a train loaded with pots full of molten metal at 1:30 this morning which set the car on fire and entirely consumed it. Several persons are said to have been burned to death.

PROF. DOUGLAS
INSPECTS MINEPresident of Old Dominion
Company in Globe on Regu-
lar Tour of Inspection.HIGHLY PLEASED WITH
LOCAL DEVELOPMENTSCannot See Any Marked De-
cline in Price of Copper in
the Near Future—No Seri-
ous Recession Probable.

President James Douglas, who is on his regular tour of inspection of the Phelps Dodge properties in Arizona, arrived in Globe yesterday forenoon in his private car Nacozari, accompanied by his daughter and C. E. Mills, superintendent of the Phelps Dodge company. In the afternoon Professor Douglas and Mr. Mills spent two hours in the Old Dominion mine, inspecting the principal underground workings. The developments on the 14th level were of especial interest to them and Professor Douglas expressed satisfaction with the splendid showing of the sulphide ore bodies in Nos. 2 and 3 cross-cuts, and with the condition of the mine on other levels.

To a representative of the Silver Belt Professor Douglas stated that the plans for the enlargement of the smelter and other new construction, warranted by recent developments, would be carried out as rapidly as practicable, and that it would require almost a year for their completion. The fifth furnace to be erected at the smelter should go into commission early in July and the plans call for still another furnace, a new and larger stack and an additional dust chamber. The professor spoke of the importance of C shaft, sunk for the purpose of draining the western portion of the mine where some of the largest and best ore bodies have been located, but which is so wet that it cannot be opened to advantage until adequate facilities for handling the water have been provided. C shaft has been sunk to the 9th level and should be completed to the 12th level some time next fall. The pumps to be installed on the 10th and 12th levels at C shaft will have a combined capacity of 8,000,000 gallons in twenty-four hours, and will be not only the largest, but also the finest, pumping plant in Arizona. C shaft will hardly be in commission before next January.

Asked as to the probable course of the copper market, Professor Douglas, while declining to express a positive opinion, said that the price of copper was largely influenced by the demand for iron and steel, as the two metals are associated in modern construction and metal manufactures. As the demand for iron and steel continues active and at high prices, the probability of any marked decline in copper prices would seem remote. Prices will adjust themselves to general conditions of business, which at present are good and without indications of any serious recession.

Professor Douglas will complete his inspection of the Old Dominion and United Globe properties today and the party will leave Globe this evening.

PENNSYLVANIA FOR
KNOX FOR PRESIDENT

By Associated Press.

HARRISBURG, Pa., June 4.—United States Senator Knox will be formally endorsed for president and pledged the support of the Pennsylvania delegation to the next Republican convention by the Republican state convention which will be held Thursday for the nomination of a candidate for state treasurer. Senator Penrose is in hearty accord with the movement.

WILL TRY TO MAKE
HARRIMAN TALKPresident and Commissioner
Lane Hold Conference at the
White House Last Night.SUIT WILL BE BROUGHT
IN SOUTHERN NEW YORKWhoever Wins, the Case Will
Be Appealed and It Is Ex-
pected to Be a Year Before
Final Decision Is Made.

By Associated Press.

WASHINGTON, June 4.—The question as to whether the government will enter into the criminal prosecution against Harriman for violation of the Sherman anti-trust law was considered at a conference between President Roosevelt and P. K. Lane, interstate commerce commissioner, at the White House tonight.

Lane was with the president for more than an hour and upon leaving announced that before July 1 legal proceedings will be instituted to compel Harriman to answer certain questions propounded by members of the commission at the recent hearing in New York when the Alton deal was under consideration.

Previous to the conference with the president Lane had conferred with Frank B. Kellogg, special counsel for the government in the Harriman investigation. Kellogg, it is understood, will have a conference with the president some time this week and later go to New York to institute suit against Harriman to compel him to answer questions regarding the Alton transaction.

Will Hold Conference

At a conference at which all members of the commission will be present it will be definitely decided what action the administration is to take in regard to the criminal prosecutions against Harriman. While no date has been set for the conference it will probably be held Thursday or Saturday. Proceedings to compel Harriman to answer the questions will be brought in the courts of the southern district of New York. Whether the prosecution or the defense should win the decision of the case is expected to be appealed to the higher courts and ultimately to the supreme court of the United States.

According to opinions already expressed by members of the interstate commerce commission it may be a year or more before the final decision is reached. For these reasons it was announced several weeks ago that the commission did not intend to await the result of the proceedings before taking action on the general subject to investigate the Harriman lines.

OFFICERS AGREE
BUT MEN REFUSEStrike Situation in France Still
Uncertain—Many Want
to Remain Out

By Associated Press.

PARIS, June 4.—The strike situation still continues uncertain, but officials of the navigation companies are of the opinion that general resumption of work is a matter of a short time only. The decision of the companies, made at the request of the government, not to prosecute desertions, will have, it is considered, a good influence on the men who still waver.

The men at several ports have expressed their decision of a continuation of the movement, but the officers generally are inclined to go back to work.

Delegates of the strikers met again today and confirmed the action of last night advising the men to bring the strike to an end. A dispatch received here from Cherbourg says the stevedores of trans-Atlantic vessels have joined the movement.

BRYAN TALKS ON
THE THIRD TERMAssumes that Roosevelt Will
Adhere to His Promise Not
to Run Again

By Associated Press.

BALTIMORE, Md., June 4.—W. J. Bryan, in an interview, today said: "When in congress I endeavored to secure an amendment to the constitution making the president ineligible for a second term, and in both campaigns I announced that if I were elected I would not be a candidate for a second term. I would, hardly look favorably, therefore, upon a third term. 'I assume that the president will adhere to the opinion which he expressed on the subject and will not be a candidate again. It would be a red-

dition upon the success of his administration if, coming in by an enormous majority, he had so reduced the popularity of his party as to make it impossible for any other Republican to be elected. "If his reforms are of substantial character, there ought to be some other Republican sufficiently identified with him to represent them as their candidate. It will be strange if the president is strong enough to violate the anti-third term precedent set by Washington, Jefferson, Madison, Monroe and Jackson, and yet was not able to develop a worthy Republican successor."

Paper Bustlers Meet

MILWAUKEE, Wis., June 4.—Circulation managers of newspapers from all parts of North America opened a three days convention here today, there being about seventy-five delegates in attendance.

CONFEDERATE VETERANS
BARRED FROM CAPITOL

By Associated Press.

WASHINGTON, June 4.—One hundred armed Confederate veterans from Tennessee carrying the stars and bars were today denied admission to the United States capitol until after they had lowered the flag and disarmed.

The Weather

WASHINGTON, June 4.—Forecast for Arizona: Fair Wednesday and Thursday except showers Thursday in northern portion.

CAR OF GASOLINE
BLOWS UP THREEMen Were Watching Freight
Car Burn When Car of
Oil Explodes

By Associated Press.

REDDICK, Ill., June 4.—Three persons were killed here tonight by the explosion of a car loaded with gasoline. One of the men killed was Fred Hattling, a barber of Reddick. The names of the other two men are unknown, as they were strangers in Reddick. The three men, together with several other persons, were watching the burning of freight cars that became ignited from a hot box on one of the trucks. As the train neared the junction of the Chicago, Indiana & Southern and the Wabash railroads, the car with the hot box was derailed, two other cars loaded with oil were also dragged in the ditch and all caught fire. Right next to these cars was another car loaded with gasoline, which caught fire from the sparks from the burning cars.

A fearful explosion followed, which broke all the windows in the village and demolished chimneys of houses for miles around. The three men killed were standing close to the gasoline car at the time and they were blown to atoms, the fragments of their bodies being scattered for a hundred yards about.

REDDICK, Ill., June 4.—The dead in the explosion are:

F. W. HATTING, barber of Reddick.
JOHN F. RASEE, Danville, Ill.
AUSTIN STOCKTON, Danville, Ill.
Ten persons were injured more or less by burning oil, which was scattered in all directions by the explosion. Hal Dowell of Danville is the most seriously hurt. He is not expected to live. The other nine are residents of Reddick. Sixteen cars were destroyed.

Cigar Rollers Strike

By Associated Press.

SALT LAKE CITY, Utah, June 4.—All the local cigar factories are closed and one hundred cigarmakers are on strike for an increase of \$1 per thousand in wages.

Pass Utility Bill

By Associated Press.

ALBANY, N. Y., June 4.—The assembly today passed over Mayor McClellan's veto the Public Utilities bill. It now goes to the senate.

MISSIONARY IS
BADLY BEATENStabbed in Lung by Chinese—
Others Flee from Threat-
ened Parts

By Associated Press.

LONDON, June 4.—A special from Hong Kong says that Mr. Pylard, a Methodist missionary at Chao Tung Fu, has been mercilessly beaten by Chinese. His lung was pierced by a weapon. Missionaries are flocking into Hong Kong from the Swatow and Pak-hoi districts.

Chao Tung Fu is a city in the north-east part of the province of Yunnan, China, with a population of about 50,000. The Bible Christian home of the Foreign Missionary society, an English organization, has a station there which consists of four missionaries and men and women native workers, an elementary school and a dispensary. The China missionary list says that S. Pollard and wife are stationed in this city.

HALF MILLION IN
STOCK AT STAKETrial of Suit of Campbell vs.
Finletter Begins in the Dis-
trict Court Yesterday.CASE INTERRUPTED
AFTER JURY IS SWORNConflict in Complaint and
Pleading—Trial of Edwards
Is Set for June 10—One
Divorce Is Granted.

The principal case of interest in the district court yesterday was that of George C. Campbell vs. Matilda Finletter et al. for breach of contract, in which the plaintiff, who is a promoter from St. Louis, is suing for stock in the Keystone Copper company worth a half million dollars. A jury was secured yesterday morning after a demurrer to the amended complaint had been overruled. The case came to a sudden halt when Benjamin Klene of St. Louis for the plaintiff was making his opening address to the jury. In it he averred that his client sought damages, whereas the complaint alleges breach of contract. In his pleading Mr. Klene charged that the defendants prevented him from carrying out the terms of the contract, while in the complaint it was stated that the terms of the contract were being carried out. Judge Nave intervened and gave the plaintiff until 9:30 this morning to show whether or not he is in court on the pleading, sition.

Stock Escrowed

In the complaint it is charged that \$500,000 in stock of the Keystone company had been placed in escrow in the Old Dominion Commercial company bank for him, contingent upon his disposing of a certain amount of stock of the company and providing the company with working funds. The defendants claim that the terms of the contract were not adhered to by Mr. Campbell. The defendants are Mrs. Matilda Finletter, John R. Finletter, Maud Frances Finletter, his wife, H. H. Harvey and the Old Dominion Commercial company bank.

Anna Frances Neal was granted a

divorce from Daniel Neal on the grounds of intoxication. She was given the custody of two minor children Gladys and Daniel, separate ownership in real estate, household goods and chattels, one-half interest in 100 head of cattle and \$100 for attorney's fees.

Edwards Trial Set

Cager Edwards, who was indicted by the grand jury last March for rape, the alleged victims being two twin-children of the defendant, will be tried on June 10, the order for the continuance having been vacated by the court yesterday. The case at the calling of the calendar had been continued for the term owing to the delicate condition of both prosecuting witnesses. Edwards must answer to two indictments of statutory rape.

Mike Nicotich, through his attorneys, Weinberger & Elliott, in whose trial for assault with a deadly weapon the jury disagreed, changed his plea from not guilty to guilty to simple assault and this morning will be sentenced for the lesser offense.

FRISCO CARMEN
GETTING SENSEStrikers Condemn Lawbreak-
ing and Offer Reward for
Guilty Members

By Associated Press.

SAN FRANCISCO, Cal., June 4.—The car men's union at a meeting today passed resolutions condemning acts of law breaking and offering a reward of \$500 for the arrest and conviction of any member of their union guilty of any crime touching the strike.

In a statement tonight Richard Cornelius, president of the union, said that officers of the Building Trades council "Assured the union of both their moral and financial support, stating that they would finance the fight as long as it lasted, whether it be one month or one year."

Steps have been taken whereby the heads of different unions will co-operate and in a great measure take charge of the car men's conflict. This committee will counsel and advise with car men in all matters of importance, thus assuring a concerted, solid front and compact organization.

IS FOUND GUILTY OF
DOUSING JUDGE'S PANTS

By Associated Press.

SAN FRANCISCO, Cal., June 4.—Chief Justice Beatty appeared today as the star witness in Police Judge Shortall's court in the case against Charles Benn, the driver of a sprinkling wagon, charged with wetting the shoes and lower part of the jurist's pants while he was riding on a Sutter street car. Judge Shortall found Benn guilty and announced that he would impose sentence on June 10.